

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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KELLY PRICE,

Plaintiff,

- against -

THE CITY OF NEW YORK, ROSE PIERRE-  
LOUIS, in her individual and official capacity,  
SELVENA BROOKS, in her individual and  
official capacity, INSPECTOR OLUFUNMILO  
F. OBE, in her individual and official capacity,  
DETECTIVE LINDA SIMMONS, in her  
individual and official capacity, OFFICER JOHN  
STAINES, in his individual and official capacity,  
OFFICER ISELAIN GUICHARDO  
HERMENE GILDO CRUZ, in her individual and  
official capacity, LT. NICHOLAS CORRADO, in  
his individual and official capacity;  
LIEUTENANT RAYMOND DEJESUS, in his  
individual and official capacity; OFFICER  
EMMET, in his individual and official capacity;  
SERGEANT SHEVITZ, in his individual and  
official capacity; MTA OFFICER STEPHEN  
MEARS, in his individual and official capacity;  
MTA OFFICER ALISON SCHMITT, in her  
individual and official capacity,  
Defendants.

----- x

No. 15-CV-05871 (KPF)

**MOTION TO  
WITHDRAW AS  
COUNSEL**

**MEMO ENDORSED**

PLEASE TAKE NOTICE that upon the accompanying Declaration of Jason  
Douglas Barnes, the undersigned moves this Court for an order pursuant to Local Rule 1.4  
granting leave to withdraw as counsel for the Defendant MTA Officers Stephen Mears and  
Alison Schmitt and further requests that the Clerk terminate the undersigned from the  
docket for this case.

Dated: New York, New York  
September 3, 2021

Respectfully submitted,

METROPOLITAN  
TRANSPORTATION AUTHORITY  
2 Broadway, 4<sup>th</sup> Floor

New York, New York 10004

By: 

Jason Douglas Barnes  
Assistant Associate Counsel  
jabarnes@mtahq.org  
212-878-7215  
212-878-7398 (fax)

TO: All Parties ***VIA ECF***

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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KELLY PRICE,

Plaintiff,

- against -

THE CITY OF NEW YORK, ROSE PIERRE-LOUIS,  
in her individual and official capacity, SELVENA  
BROOKS, in her individual and official capacity,  
INSPECTOR OLUFUNMILO F. OBE, in her  
individual and official capacity, DETECTIVE LINDA  
SIMMONS, in her individual and official capacity,  
OFFICER JOHN STAINES, in his individual and  
official capacity, OFFICER ISELAIN GUICHARDO  
HERMENE GILDO CRUZ, in her individual and  
official capacity, LT. NICHOLAS CORRADO, in his  
individual and official capacity; LIEUTENANT  
RAYMOND DEJESUS, in his individual and official  
capacity; OFFICER EMMET, in his individual and  
official capacity; SERGEANT SHEVITZ, in his  
individual and official capacity; MTA OFFICER  
STEPHEN MEARS, in his individual and official  
capacity; MTA OFFICER ALISON SCHMITT, in her  
individual and official capacity,

Defendants.

No. 15-CV-05871 (KPF)

**DECLARATION IN  
SUPPORT OF MOTION TO  
WITHDRAW AS COUNSEL**


-----x  
I declare under penalty of perjury under the laws of the United States of America, pursuant  
to 28 U.S.C. Section 1746, that the foregoing is true and correct.

1. I am an Assistant Associate Counsel at the Metropolitan Transportation Authority  
("MTA"), and I have appeared on behalf of Defendant MTA Officers Stephen Mears and  
Alison Schmitt ("MTA Defendants") in this action.
2. The MTA has provided representation for the MTA Defendants in this action pursuant to  
their Collective Bargaining Agreement ("CBA") with the MTA. To that end, the MTA  
has retained Steve S. Efron and Renee Lucille Cyr, who have already appeared on the

MTA Defendants' behalf. The MTA Defendants are aware that different attorneys now represent them. The MTA has also reassigned internal oversight of this matter to other capable personnel.

3. The posture of this action is that discovery is not yet complete.
4. It is therefore not expected that my withdrawal as counsel will cause any disruption in this matter, and I respectfully request that the Court grant leave for me to withdraw as counsel in this action and direct the Clerk to terminate me from the docket.

Dated: New York, New York  
September 3, 2021

  
Jason Douglas Barnes

Application GRANTED.

The Clerk of Court is directed to terminate Mr. Barnes from the docket. The Clerk of Court is further directed to terminate the motion at docket entry 193.

Dated: September 7, 2021  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE